

ater Right Number 4396-3

1. Considered MARCH 28, 19 79
2. Name of Applicant WERNERSTRUCK, INC.
3. Post Office Address WOLSEY, SD 2-111-64
4. Amount of water claimed NO ADD'L
5. Source of water supply 63' WELL
6. Water to be used for IRRIGATION
Acres to be irrigated NO ADD'L
7. Water to be diverted and used in BEADLE County
about 2 Miles NORTH of WOLSEY
8. Proof of Publication
Received 3-21-79
Not received _____
9. Application
Approved 3-28-79
Subject to WI
Not approved _____
Action deferred _____

10. Remarks:

**ADD DIVERSION
3445-3**

Form 2 - Application for Permit to Appropriate Water (Original (Includes Approval and Permit))

No. 4396-3
 Map No. 2725-3 Water Division No. 3 James River District
 (Blanks to be Filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE--Draw a line through items not applicable)

- Name of Applicant Wernerstruck, Inc.
 Postoffice address RR #2, Box 92, Wolsey, State South Dakota 57384
 If a corporation show date and place of incorporation March 28, 1969, Huron
- Method of accomplishing work (contract, employment of others, or by direct labor) _____
- Name of diversion work Struck Supplemental Well
- Amount of water claimed (cubic feet per second) no additional
- Source of water supply ground water
- Location of point of diversion a point in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 2, T111N, R64W

County Beadle
 Annual period or periods during which water is to be used April thru October

Use to be made of water. (Irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation

For irrigation use. Total number of acres to be irrigated 265 (300 additional)

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
<u>E$\frac{1}{2}$, Section 2, T111N, R64W</u>	<u>265</u>		

Attach sheet if more space is needed

- Time required to complete construction of water supply system 2 years. Additional time required to complete application of water to the proposed beneficial use 2 years

Choice of newspaper for Notice of Intent to Appropriate Water publication Daily Plainsman, Huron

12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

additional well

This is an application for an additional well on Permit No. 3445-3.

B. Works proposed to transport water to place of use.

mainline

C. Works proposed to apply water to beneficial use.

an existing center pivot

Estimated Total Cost \$ _____

Attachments. Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
 (See instructions concerning preparation.)

STATE OF SOUTH DAKOTA)

County of Hughes) ss.

I, Duane Struck, the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction

Signed Duane Struck

Subscribed and sworn to before me this 9th day of March, 19 79

Doris Westlund
 Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 4396-3WERNERSTRUCK, INC
(Applicant)RR# 2, Box 92, WOLSEY
(Post Office Address)SOUTH DAKOTA 57384 With the following modifications.
(State)

The irrigation well approved under this Permit will be located near domestic wells and other irrigation wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in irrigation wells having prior water rights.

Priority for this Permit No. 4396-3 is established by Permit No. 3445-3.

Date of first receipt of application MARCH 9, 19 79

Date of return to applicant for correction, amendments or changes required _____, 19 _____

Date of receipt of corrected application _____, 19 _____

Approved MARCH 28, 19 79, Recorded in Book 20 Page 310WATER RIGHT PERMIT NO. 4396-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 4396-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is AUGUST 26, 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MARCH 28, 19 80
3. The whole of said work is to be completed on or before MARCH 28, 19 81
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 28, 19 83
5. The water appropriated shall be used for the purpose of IRRIGATION

6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

7. The amount of the appropriation herein granted shall not exceed NO ADDITIONAL cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 2 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before MARCH 28, 19 79; said water to be used during the following described annual period: APRIL - OCTOBER

Witness my hand this 12th day of APRIL, 19 79

WATER RIGHTS COMMISSION

By:


 Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to form 2)

12. Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

- (1) Drill Hole, Diameter 30, Depth _____
- (2) Casing, Type steel (wood, concrete, steel, etc) Diameter 16" Thickness 5 RD
- (3) Perforated Screen
Type Stainless steel, Diameter 16", Length 20'
- (4) Gravel Pack, Thickness _____, Length of gravel pack _____

E. Dugout Information or Estimates

- (1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials See log in Application No. 3445-3

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Thickness of water bearing material _____

Depth to water (ground surface to water level) _____

- (2) Distance to nearest existing household or livestock watering wells.

On same owner's property 50 rds. On property owned by others 60 rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

Duane Struck
Signature of Applicant

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 6851

PIERRE, March 9, 1979

RECEIVED OF Duane Struck, Mernerstruck Inc., Walsey, SD
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. 4396-3 (examination, processing, recording and filing)	150 00
Fee for Inspecting Construction, and issuing Cert. of Construction No.	
Fee for Inspecting Beneficial Use, and issuing Water License No.	
Fee for issuing Location Certificate-Dry Draw, No.	
Fee for filing	
Fee for certified copy of	
Fee for Print copy of map	
Fee for Certifying	
Fee for (any other work as provided by law)	
TOTAL	150 00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH

No. 4396-3

Publish first publication, on or before March 16, 1979

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

March 9, 1979

Notice is hereby given that Wernerstruck Inc., whose post office address is Wolsey, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22, 46-5-41; 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use no add'l cubic feet of water per second of time from ground water add an additional (one well) through the Struck Supplemental well to /, ~~xx~~xpoint(~~xx~~) of diversion ~~xx~~ on an existing permit which is(~~xxx~~) to be located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$

of Section 2, Twp. 111N, Range 64W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

E $\frac{1}{2}$, Section 2, T111N, R64W

This Application No. 4396-3 will be considered by the Water Rights Commission at the City Hall Community Room 222 E. Dakota, Pierre, SD upon the 28th day of March, 1979

at 10 A.M. The Commission is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Commission decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Commission in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Commission may be appealed to the Courts as provided by law.

WATER RIGHTS COMMISSION

BETTY WESTLUND
Water Rights Specialist

cc: Wernerstruck, Inc., Wolsey, SD 57384

Form 8 - Proof of Publication - Notice of Intent to Appropriate Water

No. 1,396-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Beadle) ss.

I, Linda Schlotter hereby
certify that the annexed printed copy of Notice of intent to Appropriate

Water was taken from the Huron Daily Plainsman

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the _____
city _____ of Huron

County of Beadle and State of South Dakota;
that the said notice was published in said newspaper on the following
two dates:

March 13, 1979

March 20, 1979

Linda Schlotter
(Signature)

bookkeeper
(Title)

3-20-79
(Date Signed)

F.P. 3-13-79 L.P. 3-20-79
NOTICE OF HEARING
ON APPLICATION TO
APPROPRIATE WATER
Pierre, South Dakota 57501
March 9, 1979

Notice is hereby given that Wernerstruck Inc., whose post office address is Volsey, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-14; 46-2-9 thru 46-2-11; 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22; 46-5-41; 46-6-3; 46-6-5, 46-6-5.1, 46-6-5.2, 46-6-5.3, 46-6-5.4, 46-6-5.5, 46-6-6.1, 46-6-10, 46-6-14 and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use no additional cubic feet of water per second of time from ground water (one well) through the Struck Supplemental well to add an additional point of diversion on an existing permit which is to be located in the NW¼ NE¼ of Section 2, Twp. 111N, Range 84W. Said water to be used for the purpose of providing irrigation on portions of the following described land: E½, Section 2, T111N, R84W.

This Application No. 4396-3 will be considered by the Water Rights Commission at the City Hall Community Room, 222 E. Dakota, Pierre, S.D. upon the 28th day of March, 1979 at 10 A.M. The Commission is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Commission decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Commission in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Commission may be appealed to the Courts as provided by law. Water Rights Commission
Betty Westlund
Water Rights Specialist
No. 141 (adv.)



**South Dakota Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

3447-3
4396-3
4662-3A

June 23, 1983

N O T I C E

Wernerstruck, Inc.
Rt 2, Box 92
Wolsey SD 57384

Dear Mr. Struck:

The inspection of your water use systems and inspection of the extent application of water to beneficial use, as developed under your Water Rights No. 3447-3, 4396-3 and 4662-3A has been completed. Your final water right documents, the Water License, can now be issued.

Statutes require that we charge a \$50 fee for each inspection and issuing of the Water License (total \$150 for all three). Upon receipt of the \$150 fee from you, your Water Licenses will be sent to you.

Section 58 of House Bill 1001 as passed by the 1983 Legislature effective March 8, 1983 states that a permit holder may not divert water until this \$50 license fee has been paid.

Sincerely,

KAREN SCHLAAK
Administrative Aide

NOTE: On form of payment, please include the number of the water permits.
This insures proper handling of the fee.

Form 12.

Permit No. 4396-3Water Division 3 JAMES RIVER Water District
10160006REPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: WATER RIGHTS, WATER MANAGEMENT BOARD, FOSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by WEENERSTUCK,INC of WOLSEY holderof Permit No. 4396-3, bearing date of priority of AUGUST 26, 1976 *authorizing the diversion of 3.78 cu. ft. per second of the waters of GROUNDWATER
for IRRIGATION purposes, in BEADLE County.

I have to report on the condition of the same as follows:

The Water Use System consists of, WELL #1 63' DEEP WITH 16" STEEL CASING - 20'
SS SCREEN, JOHNSON 8" PUMP POWERED BY
75HP US ELECTRIC MOTOR @ 1760 RPM

A. Works used to divert the water:

WELL #2 - 78' DEEP WELL WITH 16" SS CASING & 24' SS SCREEN
JOHNSON 8" PUMP, POWERED BY 75HP US ELECTRIC MOTOR
WELL #3 - 63' DEEP WITH 12" STEEL CASING - 15' SS SCREEN
JOHNSON 6" PUMP POWERED BY 30 HP US ELECTRIC MOTOR

B. Works used to transport water to place of use,

WELL #1 TO CENTER OF N PIVOT - 800' BURIED PVC 8"
WELL #3 TO CENTER OF N PIVOT 1020' BURIED PVC 6"
WELL #2 TO CENTER OF S PIVOT 1850' BURIED PVC 8"

C. Works used to apply water to beneficial use.

TWO ZIMMATIC 10 TOWER CENTER PIVOTS, BOTH WITH
NEILON #100 IRND GUNS.The system is in the following condition: GOODThe point of diversion is located WELL #1 - 2200' W & 1260' S; WELL #2 - 2600' W & 2440' S;
WELL #3 - 1860' W & 410' S ALL FROM NE CORNER, SECTION 2, T11N, R64WThe works are capable of diverting and conveying to the place of use 3.78 (850 GPM PER PIVOT)
cu. ft. per second of water which is to be used for IRRIGATION

Water has been put to beneficial use to the maximum extent as follows:

132 ACRE CIRCLE IN THE NE 1/4 & 132 ACRE CIRCLE IN THE
SE 1/4, SECTION 2, T11N, R64Wcomprising a total of 264 acres of land.* APPLICABLE PORTIONS OF PERMIT NO. 2445-3
HAVE BEEN INCORPORATED INTO THIS WATER
LICENSE.DATE MAY 26, 1987[Signature]
(signature)

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4396-3.

(1) WHEREAS, On the 9th day of March A. D. 19 79
Wernerstruch, Inc.

made Water Right Application No. 4396-3 for a permit to use no additional cubic feet per second of the waters of groundwater (additional well on Permit No. 3445-3)

County of Beadle, State of South Dakota, for Irrigation

(2) WHEREAS, On the 28th day of March A. D. 19 79
 Permit No. 4396-3 with a date of priority of August 26, 1976

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 28th day of March A. D. 19 81 and for the application to beneficial use of said water on or before the 28th day of March A. D. 19 83

WHEREAS, on the 26th day of May, 1982, the applicable portions of Permit No. 3445-3 have been incorporated into this Water License No. 4396-3 with a priority date of August 26, 1983.

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 3.78 cubic feet per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent,

to irrigate the following land in Section 2, T11N, R64W

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 33 acres (AA)

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 33 " (AB)

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 33 " (AC)

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 33 " (AD)

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 33 " (DA)

NW $\frac{1}{4}$ SE $\frac{1}{4}$ 33 " (DB)

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 33 " (DC)

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 33 " (DD)

TOTAL 264 acres

NOTE: The above described land is irrigated as a 132 acre circle in the NE $\frac{1}{4}$ and a 132 acre circle in the SE $\frac{1}{4}$ of Section 2.

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Wernerstruck, Inc.

of RR #2, Box 92, Wolsey SD 57384
the holder and owner of said permit No. 4396-3 a water right, dating from August 16, 1976
to use of 3.78 cubic feet per second of the waters
of groundwater (three wells)

in the County of Beadle and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinafter mentioned, to be diverted at Well #1: 2200'W and 1260'S (AB); Well #2 - 1860'W
and 410'S (1/8), all from the NE corner, Section 2, T11N, R6W

and conducted to and upon portions of Section 2, T11N, R6W, more fully described on
the face of this license.

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 4396-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota

this 8th day of May A. D.

Nineteen Hundred and Eighty-three

WATER MANAGEMENT BOARD

By:

John Hatch

Chief Engineer, Executive Officer

JOHN HATCH

RECEIPT

WATER RIGHTS COMMISSION

№ 4 9280

State of South Dakota

July 5

83

Wernstruck, Inc., RR#2, Box 92, PIERRE, SD 57384

RECEIVED OF

the following amount in full for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)	4396-3	50	00
Fee for inspecting Construction, and issuing Cert. of Construction No.	4395-3		
Fee for inspecting Beneficial Use, and issuing Water License No.			
Fee for issuing Location Certificate-Dry Draw, No.			
Fee for filling			
Fee for certified copy of			
Fee for Print copy of map			
Fee for Certifying			
Fee for			
(any other work as provided by law)			
TOTAL		50	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH ms

No. 4396-3

**Dakota Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

July 8, 1983

Wernerstruck, Inc.
RR #2, Box 92
Wolsey SD 57384

Dear Mr. Struck:

Enclosed herewith is, Water License No. 4396-3. This is the final water right document completing your process of obtaining a water right.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water.

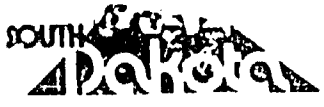
Very truly yours,

John Hatch

JOHN HATCH, Chief Engineer
Water Rights Division

JH: ks

Enclosures



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3121
January 29, 1988

4396-3

WERNERSTRUCK INC %Duane Struck
RR #2 BOX 92B
WOLSEY, SD 57384

NOTICE

Re: Violation of Water Permit No(s). 4141-3, 4662-3A, 4663-3 and
1987 Irrigation Questionnaire Requirements

Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 4141-3, 4662-3A, 4663-3. The request for the questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 4141-3, 4662-3A, 4663-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will also be to determine if Permit No(s) 1925-3, 4396-3, 4149-3, 4046-3 should be amended with the qualification to require the Questionnaire to be submitted each year.

The hearing(s) will be at 9:00 am, March 2, 1988, in Room 216, Joe Foss Building, 523 E Capitol, Pierre, South Dakota.

The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11, and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

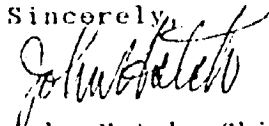
Following the hearing(s), the Water Management Board can:

1. Suspend Permit No(s). 4141-3, 4662-3A, 4663-3 until either the 1987 Questionnaire is submitted or for the period of up to one year;
2. Amend Permit No(s) 1925-3, 4396-3, 4149-3, 4046-3 also held by WERNERSTRUCK INC to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. Take no action.

4396-3

The hearing(s) is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Sincerely,

A handwritten signature in cursive script, appearing to read "John Hatch".

John Hatch, Chief Engineer
Water Rights Division

Note: If the questionnaire(s) are received in this office before the March 2 hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

February 10, 1988

3447-3	1925-3
3449-3	4046-3
4141-3	4149-3
4396-3	4662-3A
4663-3	

Duane Struck
RR 2, Box 92B
Wolsey SD 57384

Dear Mr. Struck:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the requirement to submit the Irrigation Questionnaire(s) for Water Permit No. 1925-3, 3447-3, 3449-3, 4046-3, 4141-3, 4149-3, 4396-3, 4662-3A, 4663-3 and the hearing date before the Water Management Board.

Since your questionnaire was received prior to the March 2, 1988 Water Management Board Meeting, your name has been deleted from the Board Meeting agenda. If you have any questions, please contact us.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

SOUTH DAKOTA WATER WELL COMPLETION REPORT

4396-3

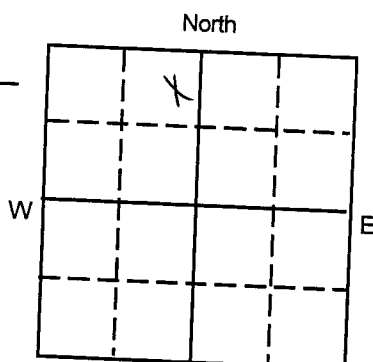
11-02

Location NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 2 Twp 111 Rg 64

County

Beadle

Please mark well location with an "X"



Well Completion Date

8/3/2003

Distance to nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.)

? ft. from Pasture (identify source)

PROPOSED USE:

☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

Reverse

CASING DATA:

If other describe ☐ Steel ☒ Plastic ☐ Other

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	IN	FT	FT	IN
	16.00	0.0	47.0	24.00

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
		Lb/gal	0.0 Ft	35.0 Ft
Cement	50			
		Lb/gal	Ft	Ft

Describe grouting procedure
Line

SCREEN:

☐ Perforated pipe ☒ Manufactured
 Diameter 16.00 Inches Length 15.0 Feet
Material Stainless SteelSlot Size .057 Set From 47.0 Feet to 62.0 Feet

Other information

WAS A PACKER OR SEAL USED?

☒ Yes ☐ No

If so, what material?

Pearock

Describe packer(s) and location

Pearock from 47ft to 62

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How? Pellets☐ No, Why Not?Lab sample sent to for
water quality analysisWell Owner: Duane StruckBusiness Name: Warner - Struck IncAddress: 38483 206th STCity, State, Zip: Wolsey SD 57384

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Yellow Clay	0	10
Blue Clay	10	35
Coarse Gravel	35	62

STATIC WATER LEVEL

 If flowing: closed in pressure FEET
 GPM flow through PSI
 Controlled by ☐ Valve ☐ Reducers ☐ Other Inch pipe
 Reduced flow rate GPM
 Can well be completely shut in?

WELL TEST DATA:

☒ Pumped Describe:
☐ Bailed
☐ Other

Pumping Level Below Land Surface

 Ft. After Hrs. pumped GPM
 Ft. After Hrs. pumped GPM
 If pump installed, pump rate: GPM

REMARKS

Redrill

RECEIVED
DEC 31 2003WATER RIGHTS
PROGRAMThis well was drilled under license # 440

And this report is true and accurate.

Drilling firm: Pullman Well Drilling Inc

Signature of License Representative:

Raynie Pullman

Signature of Well Owner or Equitable Property Holder:

Date:

8/28/03

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

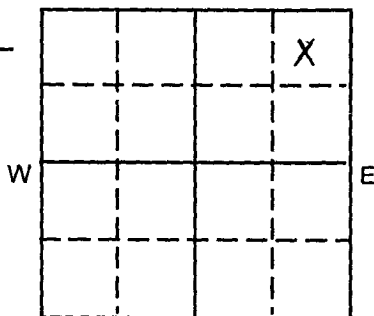
Location NE 1/4 NE 1/4 Sec 2 Twp 111 Rg 64

County

Beadle

North

Please mark well location with an "X"



Well Completion Date

11/22/2004

Distance to nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.)

? ft. from In Pasture (identify source)

PROPOSED USE:

☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

Reverse

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	IN	FT	FT	IN
	16.00	0.0	51.0	24.00
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
		Lb/gal	0.0 Ft	20.0 Ft
Cement	5			
		Lb/gal	Ft	Ft

Describe grouting procedure

SCREEN:

☒ Perforated pipe ☐ ManufacturedDiameter 16.00 Inches Length 15.0 FeetMaterial Stainless SteelSlot Size .060 Set From 51.0 Feet to 66.0 Feet

Other information

WAS A PACKER OR SEAL USED?

☒ Yes ☐ NoIf so, what material? Gravel

Describe packer(s) and location

Gravel Packed

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How? Pellets☐ No, Why Not?

Lab sample sent to for water quality analysis

Well Owner: Dave Struck

Business Name:

Address: 38597 206th StCity, State, Zip: Wolsey SD 57384

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Yellow Clay	0	10
Blue Clay	10	50
Coarse Sand w/ Pearock	50	60
Coarse Sand w/ Gravel	60	65
Blue Clay	65	66

STATIC WATER LEVEL 15 FEETIf flowing: closed in pressure PSIGPM flow through inch pipeControlled by ☐ Valve ☐ Reducers ☐ Other Reduced flow rate GPM

Can well be completely shut in?

WELL TEST DATA:

☐ Pumped Describe:
☐ Bailed
☐ Other

RECEIVED

DEC 16 2004

WATER RIGHTS PROGRAM

Pumping Level Below Land Surface

 Ft. After Hrs. pumped GPM Ft. After Hrs. pumped GPMIf pump installed, pump rate: GPM

REMARKS

Replacement wellThis well was drilled under license # 440

And this report is true and accurate.

Drilling firm: Pullman Well Drilling Inc.

Signature of License Representative:

Ken Palmer

Signature of Well Owner or Equitable Property Holder:

Date: 12-15-04



4396-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 26, 2007

NOTICE

TO: WERNERSTRUCK INC, DAVID STRUCK, 20601 385TH AVE, WOLSEY, SD 57348 8619
FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2006 Irrigation Questionnaires

Our records indicate that the 2006 Irrigation Questionnaires have not been submitted. The request for the Questionnaires was dated October 20, 2006. The Water Management Board has directed that owners of water permits who have not submitted the 2006 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 1925-3 & 4396-3 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 4662-3A, 5232-3 & 5452-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 10:30 am, March 7, 2007 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 4662-3A, 5232-3 & 5452-3 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 1925-3 & 4396-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is(are) received in this office on/or before March 1, 2007, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V5-IQ.pdf>

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



4396-3
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

February 2, 2007

David Struck
Wernerstruck Inc
20601 385th Ave
Wolsey SD 57348-8619

RE: Water Right Nos. 1925-3, 4396-3, 4662-3A, 5232-3 and 5452-3

Dear Mr. Struck:

I am writing to acknowledge receipt of your "2006" irrigation questionnaires. You may disregard the January 26, 2007, "Notice" concerning reporting requirements for Water Right Nos. 1925-3, 4396-3, 4662-3A, 5232-3 and 5452-3.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352